

REMARKS/ARGUMENTS

Favorable reconsideration of the present application is respectfully requested.

Claims 1-19 have been canceled in favor of new Claims 20-27, which are further discussed below.

Claims 1-8 were rejected under 35 U.S.C. § 112. Additionally, Claims 1-5 were rejected under 35 U.S.C. § 102 as being anticipated by Japanese patent publication 2004-277165 (Kenichiro et al); Claims 1-8 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. patent 5,598,935 (Harrison et al), and Claims 1-8 were rejected under 35 U.S.C. § 103 as being obvious over Harrison et al in view of U.S. patent 6,474,485 (Yokoyama). Applicants wish to thank Examiner Brahan for the courtesy of an interview on September 22, 2008, at which time the aforementioned rejections were discussed, particularly with reference to proposed new Claims 20-27. Based upon the discussion held at that time, the Examiner indicated that the new claims overcome the rejection under 35 U.S.C. § 112. However, no agreement was reached at that time with reference to the prior art rejection. Nonetheless, Applicants respectfully submit that the new claims define over the cited prior art for the reasons noted below.

Briefly, it is known to strive for commonality in parts for working machines in order to reduce inventory and maintenance costs. However, it is difficult to extend this concept to the rotating frame. The rotating frame is the most fundamental part of the crane, and is the part first selected by the designer based on the load/design requirements. Other parts may then be adapted to the particular rotating frame which has been selected. Thus, Yokoyama describes (column 4, lines 51-59) that various devices can be used in common between classes of working machines.

However, any effort to achieve commonality of parts using a common rotating frame creates other problems. For example, an attempt to achieve commonality of parts with a

common rotating frame may result in a small capacity model working machine having a too large rotating frame, which substantially increases costs.

According to the invention, therefore, this problem is addressed by the novel idea of using a *limited* commonality or standardization for the rotating frame (page 16, lines 1-10). Specifically, the commonality of the common rotating frame is limited to a given class, and is based on the specifications of the model in that class having the largest lifting capacity. However, the rotating frame for each respective class is different from the rotating frames of all of the other classes. One can therefore reduce the total required number of rotating frames to correspond to the number of classes and so can benefit from commonality for the rotating frame, but can also minimize the problem of a small capacity model having too large a rotating frame, with its attendant increased cost and weight.

These features are not taught in the cited prior art. For example, while Kenichiro et al discloses plural crane models having common parts, the common parts do not include the rotating frames. For example, Figs. 7-8 of Kenichiro et al are charts indicating the commonality of parts for plural crane models. These figures indicate that the power units PW, main winch units MW, valve units VA, up/down winch units UW, swivel units SW and cab units CA may be commonly used amongst models, but the main frame unit MF is excluded from this group of commonly used parts. Thus, Kenichiro et al fails to provide an anticipatory teaching for the subject matter of any of the claims.

Yokoyama is limited to teaching the desirability of commonality of parts, *per se*. However, as already explained, general commonality of parts is not adaptable to the rotating frames. Yokoyama fails to teach limited commonality wherein the commonality of the rotating frame is limited to being within classes, but not between classes, and so also fails to teach the claimed invention.

Harrison et al was cited to teach the structure of a single crane (Office Action, paragraph 7), but not to the presently claimed family of cranes, and provides no teaching with reference to the claimed family of cranes, either alone or in combination with Yokoyama which fails to teach limited commonality wherein the commonality of the rotating frame is limited to being within classes, but not between classes.

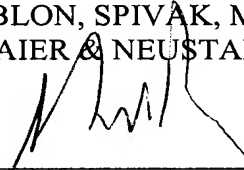
Claim 21 further recites that the winch mounting portions on the rotating frame are the same within each class but different for different classes, i.e., a particular structure of the common rotating frame within each class for achieving commonality within a class. Further, as is also recited in Claim 21, each type of winch is provided with a winch side mounting portion, the winch side mounting portion being common to models in the same class and different for other classes (page 17, lines 10-21). Therefore, regardless of the winch size, as long as the models are in the same class, the winches can be mounted on the rotating frame by the means of the same mounting holes. This is also not taught in the cited prior art.

Accordingly, Claims 20-27 are believed to define over any combination of the cited references.

Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Robert T. Pous  
Registration No. 29,099  
Attorney of Record

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

I:\ATTY\RTPL\293196US-AM.DOC